

III. Remarks

Responsive to the outstanding Examiner's Action, applicants have carefully studied the references cited by the Examiner and the Examiner's comments relative thereto. Favorable reconsideration of this application is respectfully requested in light of the above amendments and the following detailed discussion.

Claims 1-10 are pending in the application. Claim 2 has been withdrawn from consideration. Claims 4-7 have been amended. No new matter has been added with these amendments. The Examiner has indicated claim 5-7 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Claims 4-7 were rejected under 35 USC 112, second paragraph, as being indefinite. Specifically, the Examiner indicated that it is not clear if the pair recited in "said table comprises a pair of laterally arranged sliders" of claim 4 includes the slider of claim 1 or if an additional slider is required.

Applicants have amended claims 4-7 to indicate that the slider recited in claim 1 is comprised of a pair of slider members. At least one pair of slider members is disclosed at least on page 7 of the Detailed Description of the Preferred Embodiments and depicted at least in Fig. 1. Applicants believe that these amendments overcome the 112, second paragraph rejections of claims 4-7 and places them in condition for allowance.

The Examiner also rejected claims 1, 3-4 and 8 under 35 USC 102(b) as being anticipated by JP2000-184686. Applicants respectfully disagree with the Examiner that the reference teaches the invention claimed in applicants' application.

Claim 1 of the present invention requires a table including a slider which is guided by, and adapted to slide along, a guide rail for a motion along a length of the

guide rail in a first state and where the slider bears on the guide rail for a braking action in a second state. The device disclosed in the Japanese reference, however, would not be capable of this function since, during normal operation of the invention, the moveable slide block 37 and the brake base 25 would bear upon each other to support the weight of the moveable member 3. This would be in addition to the illustrated guide rail arrangement 21, 31 also supporting the moveable member 3.

If the braking function of the device depicted in the reference is activated, the brake pad 40 may be lowered by a small stroke, but the contact pressure that already exists between the moveable slide block 37 and the brake base 25 would not change. In light of this design, the brake device would produce the same frictional force regardless of whether the brake device is activated or not.

In addition to the fact that the device disclosed in the reference could not function properly, the reference does not teach a moveable slide block sliding over the guide rail surface for a guiding action in a first state and bearing on the guide rail surface for a braking action in the second state, as required by claim 1. Instead, the reference merely appears to teach a moveable slide block 37 adjacent a braking surface 25. The moveable slide block 37 is not sliding over a guide rail surface for a guiding action in the reference, nor is the moveable slide block 37 bearing on the guide rail surface for a braking action in the reference.

Other patent applications (copies of which are attached hereto), assigned to the same assignee as the Japanese reference discussed above, uniformly fail to teach a slide block that slides over a guide rail surface for both a guiding action and a brake action

depending on the state of the actuator, as required by claim 1. The disclosed linear actuators are always provided with a pair of guide rail arrangements on either side.

In light of the above discussion, claim 1 of the present invention is patentable. Furthermore, claims 3-10 each depend on claim 1, either directly or indirectly, and contain all of the limitations thereof. Therefore, because claim 1 is patentable and claims 3-10 depend on claim 1, claims 3-10 are patentable over the Japanese reference.

The Examiner also rejected claims 9-10 under 35 USC 103(a) as being obvious in light of JP2000-184686 in view of U.S. Patent Application Publication No 2003/0062227. Applicants respectfully submit that in light of the above discussion, and the patentability of claim 1, upon which claims 9-10 depend, that claims 9-10 are also patentable.

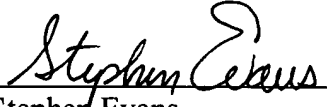
In view of the above arguments, applicants believe the claims of record define patentable subject matter over the art of record. Therefore, the application appears to be in condition for allowance. Accordingly, an early Notice of Allowance is respectfully requested.

Should the Examiner wish to modify any of the language of the claims, applicants' attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,

ATTORNEYS

Marshall & Melhorn, LLC  
Four SeaGate, Eighth Floor  
Toledo, OH 43604  
(419) 249-7100 (main)  
(419) 249-7151 (facsimile)

  
Stephen Evans  
Registration No. 47,281